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E-FILED - 4/2/09

Attorneys for Defendant and Counterclaimant

THE JACKSON LABORATORY

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

THE CENTRAL INSTITUTE FOR
EXPERIMENTAL ANIMALS, a Japanese
corporation,

Plaintiff,

v.

THE JACKSON LABORATORY, a Maine
corporation,

Defendant.

Case No. CV 08-05568 RMW

**STIPULATED REQUEST TO
RESCHEDULE CASE MANAGEMENT
CONFERENCE AND ORDER**

Prior CMC Date: April 17, 2009

New CMC Date: May 15, 2009

[Declaration of Michael Rader filed
concurrently herewith]

Pursuant to Civil Local Rules 6-1(b) and 6-2, Defendant and Counterclaimant The Jackson Laboratory ("Jackson") requests that the Case Management Conference currently scheduled for April 17, 2009 at 10:30 a.m. be continued until May 15, 2009 at 10:30 a.m. Plaintiff and

1 Defendant-in-Counterclaim The Central Institute for Experimental Animals (“CIEA”) stipulates to
2 Jackson’s request.

3 WHEREAS CIEA filed a complaint in this action on or about December 12, 2008;

4 WHEREAS, as set forth in the Declaration of Michael N. Rader dated March 26, 2009, and
5 filed concurrently herewith, the parties agreed to a 30-day extension, from January 12 to February
6 11, 2009, for Jackson to answer or otherwise respond to the complaint;

7 WHEREAS Jackson filed an answer and counterclaims on February 11, 2009;

8 WHEREAS CIEA filed a reply to Jackson’s counterclaims on March 6, 2009;

9 WHEREAS on March 12, 2009, the Clerk of the Court issued a Reassignment Order
10 pursuant to which this action was reassigned from Magistrate Judge Patricia Trumbull to Judge
11 Ronald M. Whyte for all further proceedings;

12 WHEREAS on March 17, 2009, the Court served Notice that a Case Management
13 Conference had been scheduled for April 17, 2009 before Judge Ronald M. Whyte;

14 WHEREAS Jackson’s counsel Michael Rader is of the Jewish faith, and April 16, 2009 is
15 the final day of the Passover holiday on which he is unable to travel for religious reasons, making
16 it unduly burdensome for him to appear for a Case Management Conference on April 17, 2009;

17 WHEREAS the undersigned have discussed this conflict and counsel for CIEA does not
18 oppose a postponement of the Case Management Conference;

19 WHEREAS, because of other scheduling conflicts, including other case commitments of
20 both parties’ counsel, the undersigned have mutually determined that the next reasonably
21 convenient Friday for both sides to appear for a case management conference is May 15, 2009;

22 NOW THEREFORE, IT IS HEREBY STIPULATED by and between counsel for the
23 parties as follows:
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1 1. The Case Management Conference in this action will be continued from April 17,
2 2009, until May 15, 2009, at 10:30 a.m., or the next date thereafter available on the Court's
3 calendar.

4 Dated: March 27, 2009

WOLF, GREENFIELD & SACKS, P.C.

6 /s/ Michael N. Rader

7 Michael N. Rader

8 Attorneys for The Jackson Laboratory

9 Dated: March 27, 2009

STROOCK & STROOCK & LAVAN LLP

11 /s/ Ronald M. Daignault

12 Ronald M. Daignault

13 Attorneys for The Central Institute

14 For Experimental Animals

15 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

16 Dated: 4/2/09

Ronald M. Whyte

17 The Honorable Ronald M. Whyte

18 United States District Judge

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